

Testimony of Andrew A. Feinstein
Special Education Equity for Kids in Connecticut
Committee on Appropriations
February 17, 2022

Senator McCrory, Representative Felipe, Senator Somers, Representative McCarty, Members of the Elementary and Secondary Education Subcommittee,

My name is Andrew Feinstein and I am the Legislative Chair of Special Education Equity for Kids in Connecticut (SEEK), a statewide organization of parents, providers, attorneys and advocates working for excellent education for students with disabilities.

Connecticut funds local education primarily through an Education Cost Sharing model, based on the number of students and utilizing a foundation base amount. Presumably, funding for special education comes from the ECS grant, although each district has broad discretion in how to allocate its funding from the State. Property rich districts raise most of their education funding from property taxes; the cities, small rural towns, and poorer areas rely to a much greater extent on money from the State. This results in radically different per pupil funding, from a low in Danbury of \$13,132, to a high in Region 1 (Northwest corner of the State) of \$29,900. Similarly, per pupil in-district special education expenditures range from a low in Ansonia of \$13,945 to a high in Weston of \$41,412. Not surprisingly, Danbury is 60% Black and Hispanic, while Region 1 is 15% Black and Hispanic. Ansonia is 67% Black and Hispanic, while Weston is 7%.

Students with disabilities suffered the most due to the COVID-based remote and hybrid instruction. Students with sensory needs did not get the hands-on occupational therapy they needed. Students with behavioral issues were deprived of the social contact they needed to learn emotional and behavioral regulation. Students needing small group instruction and tutoring

were, often, unable to access and benefit from computer-based instruction. As Senate President Looney has said, now is the time to fund special education.

Currently, the only specific appropriation for special education in Connecticut is for excess cost reimbursement. Connecticut is in the distinct minority of states in not having a grant to school districts based on the number of special education students enrolled¹. Excess cost grants are a catastrophic insurance program to soften the impact of very expensive placements for school districts. The amount of the appropriation has been capped at \$140 million for the last 12 years, so where districts got 100% of their costs above 4.5 times the average per pupil cost in the district in 2012, they will now get about 66% of those costs in 2022. Certainly, the excess cost grant should be fully funded at \$210 million.

But doing so does nothing to improve the delivery of special education to the vast majority of students in each school district in the State. School districts in Connecticut are in desperate shape now facing massive shortages in special education teachers, speech therapists, occupational therapists, social workers and all the other professionals that make up the special education team. Further, the law is clear that special education services missed due to COVID need to be made up under something called compensatory education. Even those districts with Title I schools that have substantial ESSER and ARP funds are reluctant to hire staff for fear of the fiscal cliff on September 30, 2024.

The State of Connecticut needs a regular grant to school districts based on the number of special education students in district, with the per capita amount adjusted for the town's property wealth. A program that would reimburse the richest town for \$1,000 per special education student and would reimburse Hartford, New Britain, New Haven, Windham, etc. at \$4,400 per

¹ <https://reports.ecs.org/comparisons/k-12-and-special-education-funding-2021>

student would need an appropriation of \$250 million. Such money should be limited to the provision of services in-district and to funding independent educational evaluations.

We ought to start thinking of special education expenditures as an investment. The underlying purpose of special education is to enable children and youth with physical, cognitive, and emotional disabilities to love and work as independently as possible as adults. Strong special education will result in less need for, and less cost to provide, adult services, from housing to assisted employment to incarceration. A dollar spent on special education today will surely result in many dollars saved in the future.

The need for a student population based, continuing special education appropriation comes on top of the need to fully fund, starting in the fiscal year ending 2025, the current ECS formula. Federal stimulus money, both through ESSER and the American Rescue Plan, has permitted the state and school districts to make ends meet in this challenging time. But those funds dry up at midnight on September 30, 2024. School districts need to know in advance that they will not go from feast to famine overnight. Action by the Legislature in this session can alleviate the problem.

In short, it is time to properly fund special education in the state. This comes in three parts. First, we need to create an adjusted per capita funding formula for special education students. Second, we need to fully fund in 2025 the ECS grant. Third, we should fully fund the excess cost grant.

I am glad to respond to any questions you might have.